

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

POWELL VALLEY HEALTH CARE, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 12-CV-0042-F
)	
HEALTHTECH MANAGEMENT SERVICES, INC.,)	
)	
Defendant/Cross-Claimant,)	
)	
v.)	
)	
PAUL CARDWELL and MICHAEL J. PLAKE,)	
)	
Defendants/Cross-Defendants.)	

STIPULATED MOTION TO RESET TRIAL DATE

Plaintiff Powell Valley Health Care, Inc., Defendant/Cross-Claimant HealthTech Management Services, Inc. and Defendant/Cross-Defendant Paul Cardwell, by and through their respective counsel, hereby move the Court for an order vacating the August 19, 2013 trial date and resetting the matter for a two-day jury trial sometime in October 2013.

In support of this motion, the parties state that one of HealthTech's key witnesses is unavailable during the week of August 19, and counsel for each of the parties have various longstanding trial dates and other court proceedings scheduled throughout the month of September that render it difficult to find a suitable time for trial of this matter. In addition, the

parties understand that Defendant Cardwell is in transit to Wyoming, but may not arrive until early August. Once Cardwell returns, PVHC and HealthTech will need time to take his deposition and defense counsel will need time to confer with their client in preparation for trial.

Undersigned counsel have made multiple attempts since Tuesday, July 16 to contact counsel for Plake regarding his position on moving the trial to October, but have not yet received a response.

WHEREFORE, Plaintiff Powell Valley Health Care, Inc., Defendant/Cross-Claimant HealthTech Management Services, Inc. and Defendant/Cross-Defendant Paul Cardwell respectfully request that: (1) the current trial date be vacated, (2) a two-day jury trial be set for October 2013, as the Court's schedule may permit, (3) the pretrial deadlines be postponed in accordance with the new trial date, and (4) the discovery cutoff be extended to three weeks before the new trial date, consistent with the Court's current scheduling order.

DATED: July 19, 2013.

/s/ Joanna R. Vilos

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DEFENDANT PAUL CARDWELL

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2013, I served a true and correct copy of the foregoing by
CM/ECF addressed to the following:

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